

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

THE SOUTH CAROLINA STATE  
CONFERENCE OF THE NAACP,

and

TAIWAN SCOTT, on behalf of himself and all  
other similarly situated persons,

Plaintiffs,

v.

THOMAS C. ALEXANDER, in his official  
capacity as President of the Senate; LUKE A.  
RANKIN, in his official capacity as Chairman  
of the Senate Judiciary Committee; G.  
MURRELL SMITH, JR., in his official  
capacity as Speaker of the House of  
Representatives; CHRIS MURPHY, in his  
official capacity as Chairman of the House of  
Representatives Judiciary Committee;  
WALLACE H. JORDAN, in his official  
capacity as Chairman of the House of  
Representatives Elections Law Subcommittee;  
HOWARD KNAPP, in his official capacity as  
interim Executive Director of the South  
Carolina State Election Commission; JOHN  
WELLS, Chair, JOANNE DAY,  
CLIFFORD J. EDLER, LINDA MCCALL,  
and SCOTT MOSELEY, in their official  
capacities as members of the South Carolina  
Election Commission,

Defendants.

Case No. 3:21-cv-03302-MGL-TJH-RMG

**THREE-JUDGE PANEL**

**SUPPLEMENTAL RULE 26(a)(3)  
PRETRIAL DISCLOSURES OF HOUSE  
DEFENDANTS G. MURRELL SMITH,  
JR., CHRIS MURPHY, AND WALLACE  
H. JORDAN**

Defendants G. Murrell Smith, Jr. (in his official capacity as Speaker of the South Carolina House of Representatives), Chris Murphy (in his official capacity as Chairman of the South Carolina House of Representatives Judiciary Committee), and Wallace H. Jordan (in his official capacity as Chairman of the South Carolina House of Representatives Redistricting Ad Hoc

Committee) (collectively, the “**House Defendants**”), by and through their undersigned counsel, hereby supplement their pretrial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(3).

(i) **The name and, if not previously provided, the address and telephone number of each witness—separately identifying those the party expects to present and those it may call if the need arises.**

In addition to any witness identified by Plaintiff and Senate Defendants, and without waiving the right to call additional witnesses, House Defendants will present the following witnesses at trial:

- **Representative Justin Bamberg, Esq.,** *Member of the South Carolina House of Representatives and Redistricting Ad Hoc Committee*
  - Contact through undersigned counsel
- **Patrick Dennis, Esq.,** *General Counsel to the South Carolina House of Representatives and Chief of Staff to the Speaker of the House*
  - Contact through undersigned counsel
- **Representative Wallace H. Jordan, Esq.,** *Member of the South Carolina House of Representatives and Chairman of the Redistricting Ad Hoc Committee*
  - Contact through undersigned counsel
- **Representative Wm. Weston Newton, Esq.,** *Member of the South Carolina House of Representatives and Redistricting Ad Hoc Committee*
  - Contact through undersigned counsel

In addition, House Defendants may present the following witnesses at trial:

- **Representative Neal Collins, Esq.,** *Member of the South Carolina House of Representatives and Redistricting Ad Hoc Committee*
  - Contact through undersigned counsel
- **Emma Dean, Esq.,** *Chief Counsel to the South Carolina House of Representatives Judiciary Committee*
  - Contact through undersigned counsel
- **Dr. John C. Ruoff,** *Plaintiff SC NAACP Paid Consultant*
  - 6170 Crabtree Rd, Columbia, SC 29206
  - (803) 603-3224

(ii) The designation of those witnesses whose testimony the party expects to present by deposition and, if not taken stenographically, a transcript of the pertinent parts of the deposition.

<u>Deponent &amp; Date</u>	<u>House Defendants' Deposition Designations</u>	<u>Plaintiffs' Objections and Counter Designations</u>
<b>Neal Collins</b>	91:25-92:5	
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<b>Benjamin Fifield</b>	49:5-12	Rule 401 (relevance)
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	105:17-110:16	110:6-16: Rule 701 (calls for opinion), Rule 401 (relevance)
	115:14-132:23	118:23-119:5: Rule 602 (speculation); Rule 701 (calls for opinion), Rule 401 (relevance)

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	176:23-178:2	
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	196:2-197:4	196:12-20: Rule 401 (relevance) 196:22-197:6: Rule 401 (relevance)
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<b>Thomas Hauger</b>	47:1-14	
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<b>Chris Murphy</b>	37:15-40:15	
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<b>Dr. John Ruoff</b>	7:15-19	
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	121:2-5	121:3-12: Rule 701 (improper lay testimony); Rule 704 (to the extent it calls for a legal conclusion); Rule 401 (relevance)
	121:8-15	121:3-12: Rule 701 (improper lay testimony); Rule 704 (to the extent it calls for a legal conclusion); Rule 401 (relevance)
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(iii) **An identification of each document or other exhibit, including summaries of other evidence—separately identifying those items the party expects to offer and those it may offer if the need arises.**

House Defendants’ revised exhibit list is attached as **Exhibit A**.

#### **SUPPLEMENTATION**

House Defendants reserve the right to supplement these pretrial disclosures and to identify additional witnesses, designate additional deposition transcript testimony, and identify additional exhibits. House Defendants further reserve the right to identify additional exhibits for impeachment purposes and to use any exhibits offered and admitted on Plaintiffs’ or Senate Defendants’ Exhibit Lists. House Defendants also reserve the right to create additional demonstrative exhibits.

*[signature page follows]*

Respectfully submitted,

s/ Michael A. Parente

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*Attorneys for House Defendants*

September 30, 2022  
Columbia, South Carolina

### **CERTIFICATE OF SERVICE**

I hereby certify that on September 30, 2022, a true and correct copy of the foregoing was served on all counsel of record by electronic filing on the public docket.

*s/ Michael A. Parente*

Michael A. Parente